

LEGISLATIVE COUNCIL
FILE COPY

94TH CONGRESS
2D SESSION

H. R. 13933

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1976

Mr. FISHER introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend title 5, United States Code, to provide special allowances to certain physicians employed by the United States in order to enhance the recruitment and retention of such physicians.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Physicians Com-
4 parability Allowance Act of 1976".

5 SEC. 2. (a) Subchapter IV of chapter 59 of title 5,
6 United States Code, relating to allowances, is amended by
7 adding at the end thereof the following new section:

8 "§ 5948. Physicians comparability allowances

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1 “(a) A Government physician, in addition to pay other-
2 wise due him, is entitled to—

3 “(1) a professional allowance—

4 (A) at a per annum rate of \$1,200 if he has
5 served as a Government physician for twenty-four
6 months or less, or

7 “(B) at a per annum rate of \$4,200 a year
8 if he has served as a Government physician for more
9 than twenty-four months, plus

10 “(2) an allowance under any service agreement
11 made pursuant to subsection (b) of this section.

12 “(b) (1) Notwithstanding any other provision of law,
13 in order to recruit and retain highly qualified Government
14 physicians in an Executive agency, the head of such agency,
15 subject to the provisions of this section and regulations
16 which the Civil Service Commission may prescribe, may
17 enter into a service agreement with a Government physician
18 which provides (A) for such physician to complete a spec-
19 ified number of years of service in such agency in return
20 for (B) an allowance in an amount not more than \$5,800
21 per annum upon the execution, and for the duration of, such
22 agreement.

23 “(2) An allowance may not be paid pursuant to this
24 subsection to any physician who—

1 “(A) is employed on less than a half-time or
2 intermittent basis,

3 “(B) occupies an internship or residency training
4 position, or

5 “(C) is a reemployed annuitant.

6 “(3) The head of each Executive agency, pursuant to
7 such regulations, may determine categories of positions ap-
8 plicable to physicians in such agency as to which there is
9 no significant recruitment and retention problem. Physicians
10 serving in such positions shall not be eligible for an allow-
11 ance pursuant to this subsection.

12 “(4) Any agreement entered into by a physician under
13 this subsection shall be with respect to a period of one year
14 of service in the Executive agency involved unless the
15 physician requests an agreement for a longer period of
16 service not to exceed four years.

17 “(5) Any such agreement shall provide that the physi-
18 cian, in the event that such physician voluntarily, or be-
19 cause of misconduct, fails to complete at least one year of
20 service pursuant to such agreement, shall be required to
21 refund the total amount received under this section, unless
22 the head of such agency, pursuant to the regulations pre-
23 scribed under this subsection by the Civil Service Commis-

1 sion, determines that such failure is necessitated by circum-
2 stances beyond the control of the physician.

3 “(6) Any such agreement shall specify the terms under
4 which the head of the executive agency and the physician
5 may elect to terminate such agreement.

6 “(c) For the purpose of this section—

7 “(1) ‘Government physician’ means any individual
8 employed as a physician who is paid under—

9 “(A) section 5332 of this title, relating to the
10 General Schedule;

11 “(B) subchapter IV of chapter 14 of title 22,
12 relating to the Foreign Service; or

13 “(C) pay scales or rate systems established for
14 physicians employed by—

15 “(i) the Postal Service or the Postal Rate
16 Commission;

17 “(ii) the Canal Zone Government or the
18 Panama Canal Company;

19 “(iii) the Energy Research and Develop-
20 ment Administration; or

21 “(iv) the Tennessee Valley Authority; and

22 “(2) ‘executive agency’ includes the Postal
23 Service and Postal Rate Commission.

24 “(d) (1) Any allowance paid under this section shall
25 not be considered as basic pay for the purposes of subchapter

1 VI and section 5595 of chapter 55, chapter 81, 83, or 87
2 of this title, or other benefits related to basic pay.

3 “(2) Any allowance under this section for a Gov-
4 ernment physician shall be paid in the same manner and
5 at the same time as his basic pay is paid.”.

6 (b) The analysis for chapter 59 of such title is amended
7 by adding at the end thereof the following:

“5948. Physicians comparability allowances.”

8 SEC. 3. The amendments made by this Act shall apply
9 with respect to pay periods beginning more than thirty
10 days after the date of the enactment of this Act.

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